

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE PATENT APPLICATION OF:** Bergeron et al.      **OUR FILE NO:** 78314 18-18 US  
**SERIAL NUMBER:** New Application      **GROUP:** New Application  
**FILED:** New Application      **EXAMINER:** New Application  
**TITLE:** TUNABLE OPTICAL ADD/DROP DEVICE

**Information Disclosure Statement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Information Disclosure Statement (Form PTO-1449) in the above-captioned application with references.

**Certification**

This Information Disclosure Statement is submitted within three months of:

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

This Information Disclosure Statement is submitted prior to the mailing date of the first Office Action on the merits received by Applicant in the above-identified application.

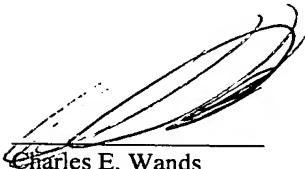
This Information Disclosure Statement is submitted after three months from

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) after three months from entry into the U.S. National Stage of the above-identified International Application; or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

This Information Disclosure Statement is submitted after the earlier of the mailing date of a final rejection or Notice of Allowance sent in this application but before payment of the Issue Fee. The certification required under 37 C.F.R. § 1.97(e) is submitted separately or below. A petition to the Commissioner and the appropriate fee pursuant to § 1.17(i) (1) are submitted herewith.

- A certification under 37 C.F.R. §1.97 is submitted herewith separately from this paper.
- It is hereby certified that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,



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11/03/2003  
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<b>Form PTO 1449</b> <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  Information Disclosure Statement by Applicant		<b>ATTY. DOCKET NUMBER:</b> <b>78314 18-18 US</b>	<b>SERIAL NUMBER:</b> <b>NEW APPLICATION</b>
		<b>APPLICANT:</b> <b>BERGERON ET AL.</b>	
		<b>FILING DATE:</b> <b>NEW APPLICATION</b>	<b>GROUP:</b> <b>NEW APPLICATION</b>

**U.S. Patent Documents**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCL ASS	FILIN APP
		6,292,299	Sep. 18, 2001	Liou	359	583	
		6,320,996	Nov. 20, 2001	Scobey et al.	385	18	

**Foreign Patent Documents**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)**

<b>EXAMINER</b>		<b>DATE CONSIDERED</b>
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		